IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15243 of 2007

DATED 22-8-2007

BETWEEN

Komaram Ramudu

.. Petitioner

And

The Tahsildar,
Jeelugumilli (M) W.G.District and 2 others.

.. Respondents

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15243 of 2007

Oral Order:

The petitioner is statedly a person belonging to scheduled tribe. He alleges that in 1983, the first respondent granted an assignment in respect of land admeasuring Ac.4.33 cents in RS.No.126/2 and 127/1 situate at Gagannagudem Village of Jeelugumilli Mandal in West Godavari District. He states that he lost the D-Form Patta Certificate in a fire accident. Be that as it is, the first respondent initiated action under the provisions of Andhra Pradesh Assigned Lands (Prohibitions of Transfers) Act, 1977 for eviction of the petitioner. After receiving notice issued under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007, the petitioner submitted explanation on 20.5.2007 requesting to drop further proceedings. According to the petitioner, no orders are passed. Nonetheless, on 21.6.2007 respondents 2 and 3 came to the village and proclaimed that they would evict the petitioner as per the orders of the first

respondent. Then the petitioner came to know that the first respondent passed orders in Roc.No.30/2007/D.T dated 18.6.2007 for resumption of the land.

Alleging that without communicating the copy of the order he is sought to be evicted the petitioner filed the present writ petition seeking a writ of mandamus for a declaration and a direction.

After hearing the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (General-A) this court is convinced that the writ petition is misconceived. When the petitioner is very much aware that the first respondent already passed orders on 18.6.2007 for resumption, nothing prevented him to prefer an appeal before the Revenue Divisional Officer who is the appellate authority. Even now the petitioner can prefer an appeal before the appellate authority after obtaining a copy of the proceedings of the first respondent. As and when the petitioner approaches the first respondent, a copy of the resumption order may be served on him. Two weeks time is granted to the petitioner to prefer an appeal before the Revenue Divisional Officer.

The writ petition, with the above observation, is accordingly disposed of.

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V.V.S.RAO,J

Dated 22.8.2007

msv